

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

JUAN MARTINEZ, JOSE PIMENTAL, CARLOS
CONTRERAS, EFRAIN REYES, and JOWANY
CASTILLO

Plaintiff,
-against- Civil Action No. 0:21-cv-03613

FELIKS & SON STORAGE TANK CORP.,
FELIKS & SON SERVICES, LLC, and FELIKS
SWIERZEWSKI


Honorable Gary R. Brown
United States District Court Judge

Defendants.

**NOTICE OF MOTION TO SET ASIDE DEFAULT JUDGMENT PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 55(c)**

PLEASE TAKE NOTICE that, on a date and time to be determined by the Court, the undersigned, attorneys for defendants, shall move before the Honorable Gary R. Brown, United States District Court Judge, at the United States District Court, Eastern District of New York, 100 Federal Plaza, Central Islip, New York, 11717 for an order setting aside the default judgment against defendants Feliks & Son Storage Tank Corp. and Feliks & Son Services, LLC, pursuant to Federal Rule of Civil Procedure 55(c). In support of this motion, defendants submit the annexed Memorandum of Law in Support of Defendants' Motion to Vacate the Default Judgment Pursuant to Federal Rule of Civil Procedure 55(c), with accompanying affidavit of defendant Feliks Swierzewski.

Dated: White Plains, New York
July 1, 2022

By: 
Robert Modica, Esq.
Coffey Modica O'Meara Capowski
LLP
200 East Post Road, Suite 210
White Plains, New York 10601
(914) 205-5005
rmodica@cmocllp.com
Attorneys for Defendants